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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/600,418	06/21/2003	Randy D. Akins		7011

7590 08/09/2005  
Randy D. Akins  
P.O. Box 91680  
Tucson, AZ 85752

EXAMINER

WU, XIAO MIN

ART UNIT PAPER NUMBER

2674

DATE MAILED: 08/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



<b>Office Action Summary</b>	<b>Application No.</b> 10/600,418	<b>Applicant(s)</b> AKINS, RANDY D.	
	<b>Examiner</b> XIAO M. WU	<b>Art Unit</b> 2674	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |



## DETAILED ACTION

### *Claim Rejections - 35 USC § 112*

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-3 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, the limitation of “(each button being a different color and number)” is indefinite because it is not a right format to further define the claim limitation by using (...).

In claim 2, the limitation of “a port t connect said electrical wire to said display screen in accordance with claim 1” is indefinite because it is not understood whether the claim 2 stands alone or it depends from claim 1,

In claim 3, the claimed language is confusing. It is not clearly how this claim related to claim 1 since claim 1 doe not recite “first display screen”, “left-side of the housing” and “right side of the housing

3. Claims 1-3 are rejected as failing to define the invention in the manner required by 35 U.S.C. 112, second paragraph.

The claim(s) are narrative in form and replete with indefinite and functional or operational language. The structure which goes to make up the device must be clearly and positively specified. The structure must be organized and correlated in such a manner as to present a complete operative device. The claim(s) must be in one sentence form only. Note the format of the claims in the patent(s) cited.



***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-3 as being best understood are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsuchiya (US patent No. 5,239,665) in view of Menard et al. (US 2004/0218732), Feinstein (US 2002/0190947) and Loh et al. (US Patent No. 5,530,234).

As to claim 1, Tsuchiya discloses a computerized image-advancing-display apparatus comprising: a flat panel LCD (2, Fig. 1) having a thin and durable housing with interior space for wiring and components surrounding top-edge, bottom-edge, left-edge and the back-side of the screen (see Figs. 1 and 2); navigational-input buttons (3); a computer-on—a-chip (11, Fig. 5); a carrying handle (Fig. 3); ports for common household electrical current and rechargeable battery-packs ((28, 29, Fig. 5); and a wireless communication between the devices (Fig. 9).

It is noted that Tsuchiya does not specifically disclose the navigational-input buttons including colors and numbers. Menard is cited to teach a portable computer device similar to Tsuchiya. Menard further discloses a plurality of key can include both numbers and colors to distinct the functions of the keys (page 2, [0025]). It would have been obvious to one of ordinary skill in the art to have modified Tsuchiya with the features of the keys as taught by Menard so as to distinct the function of the key in a simple way.

It is also noted that both Tsuchiya and Menard do not disclose voice recognition. However, using voice recognition in a portable computer is well known in the art such as taught



by Feinstein (see abstract). It would have been obvious to one of ordinary skill in the art to have modified Tsuchiya and Menard with the features of the voice recognition as taught by Feinstein so as to input an voice command to the computer without touching the keys.

Furthermore, it is noted that Tsuchiya, Menard, and Feinstein do not disclose a durable-protective cover slides down the entire surface to cover the front side of the screen. Lob is cited to teach a portable computer includes a front cover which can be slide down to cover the display screen and buttons. It would have been obvious to one of ordinary skill in the art to have modified Tsuchiya, Menard and Feinstein with the protective cover as taught by Lob so as to protect the display screen.

As to claim 2, it is well known in the art the computer box (e.g. personal pc) including a CD-ROM, DVD, floppy drives; port for memory cards, USB, Ethernet, port for keyboard, audio-in and out ports, a port connect to another computer, power supply, a light for indicating the power on, rubber feet for support cushion, a cooling fan.

As to claim 3, Tsuchiya further discloses the buttons on both side of the display (see Fig.1).

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The US 4,779,510, 5,199,1045,209,665, 5,467,102, 5,475,399, 5,534,888, 5,761,485, 5,828,768, 6,483,019, 6,766,332, 6,751,473, 2003/0104850, 2003/0165047 are cited to teach a portable computer device.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to XIAO M. WU whose telephone number is 571-272-7761. The examiner can normally be reached on 6:30 am to 4:00 pm.



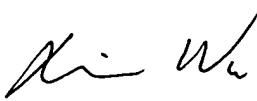
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, PATRICK EDOUARD, can be reached on 571-272-7603. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

x.w.

August 8, 2005



**XIAO M. WU**  
**Primary Examiner**  
**Art Unit 2674**